

Court No. - 35

Case :- WRIT - A No. - 19953 of 2023

Petitioner :- C/M Kohra Sutawar Inter College And Another

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Sunil Kumar Singh

Counsel for Respondent :- C.S.C.

Hon'ble Vikas Budhwar,J.

Heard Shri Sunil Kumar Singh, learned counsel for the writ petitioner as well as Shri Pradeep Kumar Shahi, learned Additional Chief Standing Counsel who appears for the respondents.

The case of the writ petitioners is that they are institution recognized under the provisions of U.P. Intermediate Education Act, 1921 and provisions of U.P. Act No. 24 of 1971 stands applicable.

As per the writ petitioners, there are three sanctioned posts class-III employees one head clerk and two assistant clerk in pursuance of the directions contained in Writ A No. 26307 of 2010 Dhruv Narayan Singh Vs. State of U.P. and others. The determination of the vacancies was made wherein three posts one of head clerk and two posts of assistant clerk was determined and according to the writ petitioners, one post of head clerk is filled however one Shri Vijay Kumar Dubey who has been working as assistant clerk promoted on 17.08.2019 as head clerk. It is also the case of the writ petitioner that one Shri Bankateshnath Tiwari superannuated on 30.09.2015 followed by Ravindra Nath Tiwari on 31.07.2009. It is also the case of the writ petitioners that they had approached the District Inspector of Schools, Deoria third respondent for according permission but the same has not been accorded.

Prayer in the present petition is for a direction to the third respondent to ensure selection.

Shri Pradeep Kumar Shahi, learned Additional Chief Standing Counsel on the other hand submits that the issues with the writ petitioner seeks to raise needs determination at the first instance by the third respondent, District Inspector of Schools, Deoria, the writ petitioner has been filed the present writ petitioner.

Considering the submissions of the rival parties as well as stand taken by them, the writ petition is being disposed off requiring the third respondent to take appropriate decision in this regard within a period of six weeks from the date of the production of the certified copy of this order.

With the aforesaid observation, the writ petition is **disposed off**.

Order Date :- 5.12.2023

A. Prajapati